imbecile and a minor; R. Judah declares a minor qualified. Who is it that declares the act of a deaf-mute, even if done, to be invalid?[15] R. Mattena says: It is R. Jose, as we have learnt: IF ONE RECITES THE SHEMA' WITHOUT HEARING WHAT HE SAYS, HE HAS PERFORMED HIS OBLIGATION. SO R. JUDAH. R. JOSE SAYS: HE HAS NOT PERFORMED HIS OBLIGATION. But why should we say that the above statement [regarding a deaf-mute] follows R. Jose, and that the act even if done is invalid?

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(1) Ps. XXVI, 6.

(2) Raba apparently stresses the order of the words in the original, and renders: I will (do the equivalent) of bathing in purity [by washing] my hands.

(3) Lit., 'wipe'.

(4) And so delayed to say his prayers.

(5) I.e., with the sections in the wrong order.

(6) Because he cannot hear the blessing which he has to say over the action.

(7) V. Pes. 7.

(8) That a deaf man should not set aside terumah.

(9) Since grace after meals is a Scriptural injunction.

(10) I.e., in the first instance, but the act if done is valid.

(11) Hence even in the first instance the act is valid.

(12) That of R. Judah son of R. Simeon b. Pazzi.

(13) Meg. 1b.

(14) V. Glos.

(15) The questioner assumes this to be the intention of the statement just quoted.

Talmud - Mas. Berachoth 15b

Perhaps it follows R. Judah, and while the act may not be done [only] in the first instance, yet if done it is valid? — Do not imagine such a thing. For the statement puts a deaf-mute on the same level as an imbecile and a minor, [implying that] just as in the case of an imbecile and a minor the act if done is not valid,[1] so in the case of a deaf-mute the act if done is not valid. But perhaps each case has its own rule?[2] — But [even if so] can you construe this statement as following R. Judah? Since the later clause[3] says that 'R. Judah declares it valid', may we not conclude that the earlier clause does not follow R. Judah? — Perhaps the whole statement follows R. Judah, and two kinds of minor are referred to, and there is a lacuna, and the whole should read thus: All are qualified to read the Megillah except a deaf-mute, an imbecile and a minor. This applies only to one who is not old enough to be trained [in the performance of the precepts].[4] But one who is old enough to be trained may perform the act even in the first instance. This is the ruling of R. Judah: for R. Judah declares a minor qualified. How have you construed the statement? As following R. Judah, and that the act is valid only if done but should not be done in the first instance. But then what of that which R. Judah the son of R. Simeon b. Pazzi taught, that a deaf person who can speak but not hear may set aside terumah in the first instance-which authority does this follow? It is neither R. Judah nor R. Jose! For if it is R. Judah, he says that the act is valid only if done, but it may not be done in the first instance; and if R. Jose, he says that even if done it is not valid! — What then do you say, that the authority is R. Judah and that the act may be done even in the first instance? What then of this which has been taught: A man should not say the grace after meals mentally, but if he does so he has performed his obligation? Whose opinion is this? It can be neither R. Judah's nor R. Jose's. For as to R. Judah, he has said that it may be done even in the first instance, and as to R. Jose, he has said that even if done it is not valid! — In truth it is the opinion of R. Judah, and the act may be done even in the first instance, and there is no contradiction between his two statements; in one case he is giving his own view, in the other that of his teacher, as it has been taught: R. Judah said in the name of R. Eleazar b. Azariah: One who recites the Shema' must let his ear hear what he says, as it says, 'Hear, O Israel'. Said R. Meir to him: 'Which I command thee this day upon thy heart', indicating that the words